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June 16, 2021

**Via ECF**

The Honorable Cathy Seibel  
United States District Court  
300 Quarropas Street  
White Plains, NY 10601

Re: *Brooklyn Lender LLC v. 53 Stanhope LLC, et al.*, Case No. 07-21-cv-05177-UA, on appeal from *In re 53 Stanhope, et al.*, Case No. 19-23013

Dear Judge Seibel:

We represent Appellees/ Debtors<sup>1</sup> in the underlying action as well as the respective Debtors in the above-referenced appeal which directly relates to D&W Real Estate Spring LLC and Meserole and Lorimer LLC. We submit this letter to oppose the request to have the briefing period shortened until tomorrow for opposing papers.

As Brooklyn Lender admits in its letter, the 14-day stay of effectiveness of the D&W Confirmation Order does not expire until June 23, 2021. Brooklyn Lender filed its motion yesterday, June 15<sup>th</sup> and wants to cut Debtors' time to respond to merely 2-days. That limitation is overly prejudicial on the Debtors/Appellees. There is no reason whatsoever that Debtors should not be permitted additional time so long as it is within the pending stay period. Therefore, while still falling within the stay period and expedited timeline, Debtors should be permitted to file its opposing papers on or before June 21, 2021.

While the merits of the motion and request for a stay pending appeal will be discussed at great detail in Debtors opposing papers, mootness alone, as argued by Brooklyn Lender in its letter as the basis for their request is insufficient to justify the relief sought. This is yet another reason why Debtors should be permitted until June 21, 2021 to submit opposing papers.

We appreciate the Court's consideration of this matter.

Respectfully yours,

  
Andrea J. Caruso, Esq.

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<sup>1</sup> The Debtors are as follows: 53 Stanhope LLC; 55 Stanhope LLC; 119 Rogers LLC; 127 Rogers LLC ; 325 Franklin LLC ; 618 Lafayette LLC; C & YSW, LLC ; Natziach LLC ; 92 South 4th St LLC ; 834 Metropolitan Avenue LLC ; 1125-1133 Greene Ave LLC ; APC Holding 1 LLC ; D&W Real Estate Spring LLC ; Meserole and Lorimer LLC ; 106 Kingston LLC ; Eighteen Homes LLC ; 1213 Jefferson LLC ; 167 Hart LLC.